

REMARKS

This is in response to the non-final Official Action currently outstanding with regard to the above-identified application.

Claims 6-17 were outstanding at the time of the issuance of the currently outstanding Official Action. At that time, Claims 1-5 had been previously canceled, without prejudice, by Preliminary Amendment. By the foregoing Amendment, Applicants have amended Claims 6-8 and 10-11. Claims 16 and 17 have been canceled, without prejudice, as being unintentionally duplicative. No Claims have been added or withdrawn. Accordingly, upon the entry of the foregoing Amendment, Claims 6-15 as hereinabove amended will constitute the claims under active prosecution in that above-identified application.

The claims of this application are reproduced hereinabove including indications of the changes being made and also including appropriate status identifiers as required by the Rules.

More specifically, in the currently outstanding Official Action that Examiner has:

1. Acknowledged Applicants' claim for foreign priority under 35 USC §119 (a)-(d) or (f), and confirmed the receipt by the United States Patent and Trademark Office of the required copies of the priority documents.
2. Confirmed his acceptance of the formal drawings filed with this application on 27 February 2006.
3. Confirmed the receipt of Applicants' Information Disclosure Statement of 27 February 2006 by providing Applicants with a copy of the Form PTO SB/08a/b that accompanied that Statement duly electronically confirmed by the Examiner as to his consideration of the art listed therein.

4. Rejected Claims 6-17 under 35 USC 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter that Applicants regard as their invention. Specifically, the Examiner questions the meaning of the term “meansunit” and also of the phraseology “the concealing method is setting of authentication information encrypting to the image data”. – **By the foregoing Amendment, the term “meansunit” has been changed so as to read -- means - - throughout. In addition, the phraseology “the concealing method is setting of authentication information encrypting to the image data” has been changed so as to read -- the concealing method is setting of authentication information to the image data --.** Applicants respectfully submit that these changes to the claims overcome the Examiner’s rejections under 35 USC 112, second paragraph.
5. Suggested that in order to overcome the rejection under 35 USC 112, second paragraph, Applicants are required to either (1) point out the structure and algorithm for invoking the means plus function rule from the specification, (2) strike the means plus function language from the claims, or (3) cancel the claims. – **Applicants respectfully submit that any such requirement would be unreasonable. Applicants have clarified the particular language in the claims that the Examiner pointed out as being unclear. The support for the means plus function language of the claims, however, appears clearly throughout the present specification and absent an assertion by the Examiner that such is not the case Applicants respectfully submit it is unreasonable for the Examiner to require specific recitations of support for each means plus function limitation in response to the present Official Action. Accordingly, the Examiner’s suggestion (requirement?) in the latter regard is respectfully traversed .**

6. Rejected Claim 6 under 35 USC 103(a) as being unpatentable over Mutsuaki (JP 2000-244753) in view of Yoshiki (JP 11-275326).

7. Rejected Claims 7, 10, 13 and 16 under 35 USC 103(a) as being unpatentable over Mutsuaki in view of Yoshiki further in view of Osamu et al (JP 05-022614).

8. Rejected Claims 8, 9, 11, 12, 14, 15 and 17 under 35 USC 103(a) as being unpatentable over Mutsuaki in view of Osamu.

Further comment concerning items 1-5 above is not deemed to be required in these Remarks.

With respect to the currently outstanding substantive rejections of the claims of this application, Applicants respectfully call the Examiner's attention to the fact that the independent claims of this application now all have been amended so as to recite the following limitation:

means for nullifying image data which is not designated by repeatedly overwriting the data which is not designated with meaningless data whereby the undesignated image data is prevented from recurring in said storing unit in reproducible form.

Applicants respectfully submit that none of the art cited and relied upon by the Examiner teaches, discloses or suggests this limitation. Furthermore, Applicants respectfully submit that one of ordinary skill in the art at the time that the present invention was made would have found it to be extremely difficult to reproduce undesignated data that was nullified in the manner presently claimed in contrast to the then state of the art method of simple deleting or overwriting the undesignated data once.

Accordingly, Applicants respectfully submit that as hereinabove amended this application is in condition for allowance. Therefore, reconsideration and allowance of this application is respectfully requested in response to this submission.

Finally, Applicant believes that additional fees beyond those submitted herewith are not required in connection with the consideration of this supplemental response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: August 9, 2010

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SIGNATURE OF PRACTITIONER

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